

# UNITED STATES DISTRICT COURT

Aug 08, 2023

SEAN F. MCAVOY, CLERK

for

Eastern District of Washington

U.S.A. vs. Barbee, Robert James Docket No. 0980 2:22CR00152-MKD-1

## Petition for Action on Conditions of Pretrial Release

COMES NOW Araceli Mendoza, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Robert James Barbee, who was placed under pretrial release supervision by the Honorable U.S. District Court Judge Mary K. Dimke sitting in the Court at Richland, Washington, on the 16<sup>th</sup> day of June 2023, under the following conditions:

**Standard Condition #9:** Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

### RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 16, 2023, the conditions of pretrial supervision were reviewed and signed with Mr. Barbee, acknowledging his understanding of his conditions.

**Violation #1:** Mr. Barbee is alleged to have violated his pretrial release conditions by consuming cocaine on or about July 11, 2023.

On July 25, 2023, Mr. Barbee completed a full disclosure sexual history polygraph examination for docket number 4:20CR06045-SAB-1. During that examination, the defendant disclosed to the polygrapher that he consumed illegal drugs one time, 2 weeks prior.

On August 7, 2023, this officer questioned Mr. Barbee regarding his reported use. The defendant disclosed to this officer that on or about July 11, 2023, he was struggling with his mental health and used cocaine.

**Violation #2:** Mr. Barbee is alleged to have violated his pretrial release conditions by consuming cocaine on or before August 8, 2023.

On August 7, 2023, this officer instructed Mr. Barbee to report to the United States Probation Office and submit to a urinalysis (UA), prior to his sentencing hearing at 11 a.m.

On August 8, 2023, Mr. Barbee reported to the United States Probation Office as instructed and submitted to a UA. The sample returned presumptive positive for cocaine. Initially, Mr. Barbee denied the use of the controlled substance, reporting his last date of use was "a couple weeks ago." Mr. Barbee was informed his UA would be sent to the national laboratory for confirmation. The offender eventually admitted to consuming the controlled substance on August 4, 2023. Mr. Barbee signed a drug use admission/denial form admitting to consuming cocaine.

PRAYING THAT THE COURT WILL ORDER A WARRANT

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I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: August 8, 2023

by s/Araceli Mendoza

Araceli Mendoza  
U.S. Pretrial Services Officer

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### THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

 

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Signature of Judicial Officer

8/8/2023

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Date